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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BENJAMIN COTTMAN,

Defendant.

Case No.: 2:18-cr-00129-JCM-DJA

**ORDER to Continue Competency
Hearing and Supplemental Briefing
Deadlines**

IT IS HEREBY STIPULATED AND AGREED, by and between CHRISTOPHER CHIOU, Acting United States Attorney, and ALLISON REESE, Assistant United States Attorney, counsel for the United States of America, and KEVIN STOLWORTHY, counsel for Defendant BENJAMIN COTTMAN, that the deadline for the government to file its supplemental briefing be continued to August 23, 2021; that the deadline for the Defendant to file his supplemental briefing be continued to September 7, 2021; and that the corresponding competency hearing currently scheduled for August 12, 2021 at 1:30 p.m., be vacated and continued for thirty (30) days, to a date and time to be set by this Honorable Court.

This stipulation is entered into for the following reasons:

1. Counsel for the Government was advised on July 28, 2021, that the Defendant was still housed at the Metropolitan Correctional Center in San Diego, California and had

1 not yet been transported back to Las Vegas, Nevada by the U.S. Marshals. It is
2 unclear what is causing the delay and given the ongoing Covid-19 protocols in place,
3 it is unclear whether the Defendant will be transported in time to appear for the
4 August 12, 2021 hearing.

- 5 2. The parties also need additional time to obtain discovery from the Metropolitan
6 Correctional Center that is relevant to the supplemental filings on the issue of the
7 Defendant's competency.
- 8 3. The parties agree to this continuance.
- 9 4. This request is not made for the purpose of delay but to allow the parties sufficient
10 time to obtain relevant discovery and to ensure the Defendant's appearance at the
11 hearing.

12 DATED: July 28, 2021

Respectfully submitted,

CHRISTOPHER CHIOU
Acting United States Attorney

/s/ Allison Reese

ALLISON REESE
Assistant United States Attorney

/s/ Kevin Stolworthy

KEVIN STOLWORTHY
Counsel for Defendant BENJAMIN
COTTMAN

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ORDER

Based on the pending Stipulation of counsel, and good cause appearing,

IT IS THEREFORE ORDERED that the government's deadline to file
supplemental briefing shall be continued to August 23, 2021.

IT IS FURTHER ORDERED that the Defendant's deadline to file responsive
supplemental briefing shall be continued to September 7, 2021.

IT IS FURTHER ORDERED that the competency hearing currently set for
August 12, 2021 at 1:30 p.m., is vacated and continued to
September 15, 2021, at 11:00 a.m. This hearing will be conducted via video
conferencing and the parties will receive an invitation to appear.

DATED this 29th day of July, 2021.



HONORABLE DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE